

On April 12, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22234. Adulteration of canned shrimp. U. S. v. 99 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31564. Sample no. 54955-A.)**

This case involved a shipment of canned shrimp which was found to be in part decomposed.

On or about November 13, 1933, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 99 cases of canned shrimp at Yakima, Wash., alleging that the article had been shipped in interstate commerce, on or about September 23, 1933, by the Biloxi Canning & Packing Co., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Olivia Brand Small Shrimp \* \* \* Packed by Mavar Fish and Oyster Company, Biloxi, Miss."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On April 12, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22235. Adulteration of canned shrimp. U. S. v. 100 Cases and 198 Cases of Canned Shrimp. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 31566, 31567. Sample nos. 54953-A, 54956-A.)**

These cases involved a shipment of canned shrimp which was found to be in part decomposed. The article also was falsely labeled as to the name of the manufacturer.

On November 10, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 298 cases of canned shrimp at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about September 23, 1933, by the Biloxi Canning & Packing Co., Inc., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "B-C-P Brand Shrimp [or 'Fountain's Choice Brand Shrimp'] \* \* \* Packed by Biloxi Canning & Packing Co., Inc., Biloxi, Miss."

It was alleged in the libels that the article was adulterated in that it consisted in part of a decomposed animal substance.

Misbranding was alleged for the reason that the statement on the label, "Packed by Biloxi Canning and Packing Co., Inc.", was false and misleading and deceived and mislead the purchaser, since the goods were packed by the Mississippi Coast Packing Co.

On April 19, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22236. Adulteration of tomato puree. U. S. v. 2,000 Cases of Tomato Puree. Consent decree of condemnation and forfeiture. Product released under bond for segregation and destruction of unfit portion. (F. & D. no. 31570. Sample nos. 43695-A, 43696-A.)**

Examination of samples of tomato puree taken from the shipment in this case showed the presence of tomato rot.

On November 13, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2,000 cases of tomato puree at New York, N.Y., alleging that the article had been shipped in interstate commerce, on or about October 6, 1933, by the St. Marys Packing Co., from St. Marys, Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "The Famous Royal Scarlet Brand Tomato Puree."